

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

Your Committee on Public Policy and Veterans Affairs, to which was referred House Bill 1522, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, line 5, delete "enforcement officers" and insert "**agents**".
- 2 Page 2, line 13, delete "enforcement officers" and insert "**gaming**
- 3 **agents**".
- 4 Page 3, line 20, delete "(a)".
- 5 Page 3, line 22, "enforcement officers and auditors" and insert
- 6 "**gaming agents**".
- 7 Page 3, line 23, delete "section 3(a)(7)".
- 8 Page 3, line 23, strike "of".
- 9 Page 3, line 26, delete "enforcement" and insert "**gaming agents;**".
- 10 Page 3, delete line 27.
- 11 Page 3, line 29, delete "enforcement officers and auditors described
- 12 in subdivision" and insert "**gaming agents;**".
- 13 Page 3, line 30, delete "(3);".
- 14 Page 3, line 32, delete "enforcement officers and auditors" and insert
- 15 "**gaming agents**".

- 1 Page 3, delete lines 34 through 42.
- 2 Page 4, delete lines 1 through 3.
- 3 Page 4, line 5, delete "Before January".
- 4 Page 4, line 6, delete "1, 2007, the" and insert "The".
- 5 Page 4, line 6, strike "shall" and insert "**may**".
- 6 Page 4, line 14, delete "After December 31, 2006, the" and insert
- 7 "**The**".
- 8 Page 4, line 15, delete "enforcement officers" and insert "**gaming**
- 9 **agents**".
- 10 Page 4, line 21, delete "Enforcement Officers" and insert "**Gaming**
- 11 **Agents**".
- 12 Page 4, delete lines 22 through 35.
- 13 Page 4, line 36, delete "2." and insert "**1.**".
- 14 Page 4, line 36, delete "An enforcement officer" and insert "A
- 15 **gaming agent**".
- 16 Page 4, line 37, delete "title." and insert "**article.**".
- 17 Page 4, line 38, delete "An enforcement officer" and insert "A
- 18 **gaming agent**".
- 19 Page 5, line 3, delete "an enforcement officer" and insert "**a gaming**
- 20 **agent**".
- 21 Page 5, line 4, delete "enforcement officer" and insert "**gaming**
- 22 **agent**".
- 23 Page 5, line 6, delete "enforcement officer's" and insert "**gaming**
- 24 **agent's**".
- 25 Page 5, line 7, delete "3." and insert "**2.**".
- 26 Page 5, line 7, delete "enforcement officer" and insert "**gaming**
- 27 **agent**".
- 28 Page 5, line 11, delete "4." and insert "**3.**".
- 29 Page 5, line 11, delete "an" and insert "**a**".
- 30 Page 5, line 12, delete "enforcement officer" and insert "**gaming**
- 31 **agent**".
- 32 Page 5, line 15, delete "officer's" and insert "**agent's**".
- 33 Page 5, line 15, delete "an enforcement officer." and insert "**a**
- 34 **gaming agent.**".
- 35 Page 5, line 17, delete "an enforcement officer" and insert "**a**
- 36 **gaming agent**".
- 37 Page 5, line 20, delete "5." and insert "**4.**".
- 38 Page 5, line 20, delete "enforcement officer" and insert "**gaming**

- 1 **agent".**
- 2 Page 5, line 21, delete "an enforcement officer:" and insert "**a**
- 3 **gaming agent:".**
- 4 Page 5, line 22, delete "officer's" and insert "**agent's**".
- 5 Page 5, line 23, delete "officer's" and insert "**agent's**".
- 6 Page 5, line 25, delete "officer" and insert "**agent**".
- 7 Page 5, line 27, delete "officer's" and insert "**agent's**".
- 8 Page 5, line 27, delete "officer" and insert "**agent**".
- 9 Page 5, line 28, delete "officer's" and insert "**agent's**".
- 10 Page 5, line 30, delete "6." and insert "**5.**".
- 11 Page 5, line 30, delete "(a)".
- 12 Page 5, line 30, delete "categorize salaries of" and insert "**create a**
- 13 **matrix for salary ranges for gaming agents, which must be**
- 14 **reviewed and approved by the budget agency before**
- 15 **implementation."**
- 16 Page 5, delete lines 31 through 42.
- 17 Page 6, delete lines 1 through 4, begin a new paragraph and insert:
- 18 "SECTION 6. IC 5-2-1-9, AS AMENDED BY P.L.62-2004,
- 19 SECTION 1, AND AS AMENDED BY P.L.85-2004, SECTION 40,
- 20 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
- 21 [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The board shall adopt in
- 22 accordance with IC 4-22-2 all necessary rules to carry out the
- 23 provisions of this chapter. Such rules, which shall be adopted only after
- 24 necessary and proper investigation and inquiry by the board, shall
- 25 include the establishment of the following:
- 26 (1) Minimum standards of physical, educational, mental, and
- 27 moral fitness which shall govern the acceptance of any person for
- 28 training by any law enforcement training school or academy
- 29 meeting or exceeding the minimum standards established pursuant
- 30 to this chapter.
- 31 (2) Minimum standards for law enforcement training schools
- 32 administered by towns, cities, counties, the northwest Indiana law
- 33 enforcement training center, agencies, or departments of the state.
- 34 (3) Minimum standards for courses of study, attendance
- 35 requirements, equipment, and facilities for approved town, city,
- 36 county, and state law enforcement officer, police reserve officer,
- 37 and conservation reserve officer training schools.
- 38 (4) Minimum standards for a course of study on cultural diversity

1 awareness that must be required for each person accepted for
2 training at a law enforcement training school or academy.

3 (5) Minimum qualifications for instructors at approved law
4 enforcement training schools.

5 (6) Minimum basic training requirements which law enforcement
6 officers appointed to probationary terms shall complete before
7 being eligible for continued or permanent employment.

8 (7) Minimum basic training requirements which law enforcement
9 officers not appointed for probationary terms but appointed on
10 other than a permanent basis shall complete in order to be eligible
11 for continued employment or permanent appointment.

12 (8) Minimum basic training requirements which law enforcement
13 officers appointed on a permanent basis shall complete in order to
14 be eligible for continued employment.

15 *(9) Minimum basic training requirements for each person*
16 *accepted for training at a law enforcement training school or*
17 *academy that include six (6) hours of training in interacting with*
18 *persons with mental illness, addictive disorders, mental*
19 *retardation, and developmental disabilities, to be provided by*
20 *persons approved by the secretary of family and social services*
21 *and the law enforcement training board.*

22 (b) Except as provided in subsection (l), a law enforcement officer
23 appointed after July 5, 1972, and before July 1, 1993, may not enforce
24 the laws or ordinances of the state or any political subdivision unless
25 the officer has, within one (1) year from the date of appointment,
26 successfully completed the minimum basic training requirements
27 established under this chapter by the board. If a person fails to
28 successfully complete the basic training requirements within one (1)
29 year from the date of employment, the officer may not perform any of
30 the duties of a law enforcement officer involving control or direction of
31 members of the public or exercising the power of arrest until the officer
32 has successfully completed the training requirements. This subsection
33 does not apply to any law enforcement officer appointed before July 6,
34 1972, or after June 30, 1993.

35 (c) Military leave or other authorized leave of absence from law
36 enforcement duty during the first year of employment after July 6,
37 1972, shall toll the running of the first year, which in such cases shall
38 be calculated by the aggregate of the time before and after the leave, for

1 the purposes of this chapter.

2 (d) Except as provided in subsections (e), ~~and (l)~~, **and (n)**, a law
3 enforcement officer appointed to a law enforcement department or
4 agency after June 30, 1993, may not:

- 5 (1) make an arrest;
- 6 (2) conduct a search or a seizure of a person or property; or
- 7 (3) carry a firearm;

8 unless the law enforcement officer successfully completes, at a board
9 certified law enforcement academy, *at the southwest Indiana law*
10 *enforcement training academy under section 10.5 of this chapter*, or at
11 the northwest Indiana law enforcement training center under section
12 15.2 of this chapter, the basic training requirements established by the
13 board under this chapter.

14 (e) **This subsection does not apply to a gaming agent employed**
15 **as a law enforcement officer by the Indiana gaming commission.**
16 Before a law enforcement officer appointed after June 30, 1993,
17 completes the basic training requirements, the law enforcement officer
18 may exercise the police powers described in subsection (d) if the officer
19 successfully completes the pre-basic course established in subsection
20 (f). Successful completion of the pre-basic course authorizes a law
21 enforcement officer to exercise the police powers described in
22 subsection (d) for one (1) year after the date the law enforcement
23 officer is appointed.

24 (f) The board shall adopt rules under IC 4-22-2 to establish a
25 pre-basic course for the purpose of training:

- 26 (1) law enforcement officers;
 - 27 (2) police reserve officers (as described in IC 36-8-3-20); and
 - 28 (3) conservation reserve officers (as described in IC 14-9-8-27);
- 29 regarding the subjects of arrest, search and seizure, use of force, and
30 firearm qualification. The pre-basic course must be offered on a
31 periodic basis throughout the year at regional sites statewide. The
32 pre-basic course must consist of forty (40) hours of course work. The
33 board may prepare a pre-basic course on videotape that must be used
34 in conjunction with live instruction. The board shall provide the course
35 material, the instructors, and the facilities at the regional sites
36 throughout the state that are used for the pre-basic course. In addition,
37 the board may certify pre-basic courses that may be conducted by other
38 public or private training entities, including colleges and universities.

(g) The board shall adopt rules under IC 4-22-2 to establish a mandatory inservice training program for police officers. After June 30, 1993, a law enforcement officer who has satisfactorily completed the basic training and has been appointed to a law enforcement department or agency on either a full-time or part-time basis is not eligible for continued employment unless the officer satisfactorily completes a minimum of sixteen (16) hours each year of inservice training in any subject area included in the law enforcement academy's basic training course or other job related subjects that are approved by the board as determined by the law enforcement department's or agency's needs. *Inservice training must include training in interacting with persons with mental illness, addictive disorders, mental retardation, and developmental disabilities, to be provided by persons approved by the secretary of family and social services and the law enforcement training board.* In addition, a certified academy staff may develop and make available inservice training programs on a regional or local basis. The board may approve courses offered by other public or private training entities, including colleges and universities, as necessary in order to ensure the availability of an adequate number of inservice training programs. The board may waive an officer's inservice training requirements if the board determines that the officer's reason for lacking the required amount of inservice training hours is due to any of the following:

- (1) An emergency situation.
- (2) The unavailability of courses.

(h) The board shall also adopt rules establishing a town marshal basic training program, subject to the following:

- (1) The program must require fewer hours of instruction and class attendance and fewer courses of study than are required for the mandated basic training program.
- (2) Certain parts of the course materials may be studied by a candidate at the candidate's home in order to fulfill requirements of the program.
- (3) Law enforcement officers successfully completing the requirements of the program are eligible for appointment only in towns employing the town marshal system (IC 36-5-7) and having ~~no~~ **not** more than one (1) marshal and two (2) deputies.
- (4) The limitation imposed by subdivision (3) does not apply to an

1 officer who has successfully completed the mandated basic
2 training program.

3 (5) The time limitations imposed by subsections (b) and (c) for
4 completing the training are also applicable to the town marshal
5 basic training program.

6 (i) The board shall adopt rules under IC 4-22-2 to establish a police
7 chief executive training program. The program must include training in
8 the following areas:

9 (1) Liability.

10 (2) Media relations.

11 (3) Accounting and administration.

12 (4) Discipline.

13 (5) Department policy making.

14 (6) Firearm policies.

15 (7) Department programs.

16 (j) A police chief shall apply for admission to the police chief
17 executive training program within two (2) months of the date the police
18 chief initially takes office. A police chief must successfully complete
19 the police chief executive training program within six (6) months of the
20 date the police chief initially takes office. However, if space in the
21 program is not available at a time that will allow the police chief to
22 complete the program within six (6) months of the date the police chief
23 initially takes office, the police chief must successfully complete the
24 next available program that is offered to the police chief after the police
25 chief initially takes office.

26 (k) A police chief who fails to comply with subsection (j) may not
27 serve as the police chief until the police chief has completed the police
28 chief executive training program. For the purposes of this subsection
29 and subsection (j), "police chief" refers to:

30 (1) the police chief of any city; and

31 (2) the police chief of any town having a metropolitan police
32 department.

33 A town marshal is not considered to be a police chief for these
34 purposes, but a town marshal may enroll in the police chief executive
35 training program.

36 (l) An investigator in the arson division of the office of the state fire
37 marshal appointed:

38 (1) before January 1, 1994, is not required; or

1 (2) after December 31, 1993, is required;
 2 to comply with the basic training standards established under this
 3 section.

4 (m) The board shall adopt rules under IC 4-22-2 to establish a
 5 program to certify handgun safety courses, including courses offered in
 6 the private sector, that meet standards approved by the board for
 7 training probation officers in handgun safety as required by
 8 IC 11-13-1-3.5(3).

9 **(n) This subsection applies only to a gaming agent employed as**
 10 **a law enforcement officer by the Indiana gaming commission. A**
 11 **gaming agent appointed after June 30, 2005, may exercise the**
 12 **police powers described in subsection (d) if:**

13 **(1) the agent successfully completes the pre-basic course**
 14 **established in subsection (f); and**

15 **(2) the agent successfully completes any other training courses**
 16 **established by the Indiana gaming commission in conjunction**
 17 **with the board."**

18 Page 6, line 15, delete "enforcement," and insert "**agent**,".

19 Page 7, line 19, delete "enforcement," and insert "**agent**,".

20 Page 7, line 42, after "any" delete "Indiana" and insert "**gaming**
 21 **agent**,".

22 Page 8, delete line 1.

23 Page 8, line 26, delete "enforcement," and insert "**agent**,".

24 Page 8, line 29, delete "alcohol and".

25 Page 8, line 30, delete "tobacco".

26 Page 8, line 40, delete "enforcement," and insert "**agent**,".

27 Page 10, line 10, delete "enforcement," and insert "**agent**,".

28 Page 10, line 17, delete "enforcement officers" and insert "**agents**".

29 Page 11, line 8, delete "enforcement officer" and insert "**agent**".

30 Page 13, line 12, delete "enforcement officers" and insert "**agents**".

31 Page 14, delete lines 3 through 42.

32 Delete pages 15 through 18.

33 Page 19, line 13, delete "enforcement officer;" and insert "**agent;**".

- 1 Page 19, after line 21, begin a new paragraph and insert:
- 2 "SECTION 18. **An emergency is declared for this act.**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1522 as introduced.)

and when so amended that said bill do pass.

Representative Alderman